



FISCAL MEMORANDUM

HB 818 - SB 1281

February 27, 2023

SUMMARY OF BILL AS AMENDED (004548): Makes various revisions to requirements and penalties for driving violations involving a school bus. Authorizes a notice of violation or citation to be issued in lieu of prosecution when evidence of the offense is based solely from a camera that has been installed on the exterior of the bus. Increases, from \$200 to \$250, the fine for a first offense of not properly stopping for a school bus that has stopped to discharge or receive children based solely on evidence from a camera that was installed on the exterior of the bus. Increases, from a minimum of \$250 to \$500, the fine for a second or subsequent offense. Creates a Class E felony for a driver of a vehicle that strikes another person with a vehicle pursuant to this section, and a Class C felony if the striking results in the death of another person.

FISCAL IMPACT OF BILL AS AMENDED:

Increase Local Revenue - \$800/FY23-24 and Subsequent Years

Assumptions for the bill as amended:

- Based on information provided by the Department of Safety and Homeland Security, there were 84 citations issued in 2022 for the offense of improperly overtaking a bus receiving or discharging youth.
- The proposed legislation increases the penalty for the offense in only the cases in which the violation was based solely upon evidence from a camera installed on the exterior of the bus.
- It is unknown what percentage of citations issued for this offense fall into this category; however, it can be reasonably assumed to be 20 percent.
- The increase in local revenue for each citation issued for a first offense is \$50 (\$250 - \$200).
- The increase in local revenue for each citation issued for a second or subsequent offense is \$250 (\$500 - \$250).
- It is estimated that second and subsequent violations will account for one percent of citations, or approximately one offense (84 x 1%).
- Pursuant to the proposed legislation, 100 percent of the proceeds from any fine imposed that is based solely upon evidence obtained from a school bus camera shall be allocated to the local education agency without being designated for any particular purpose.
- The increase in local revenue for each citation issued for a first offense is estimated to be \$840 [(84 citations x 20%) x \$50] in FY23-24 and subsequent years.

- Any increase in fine revenue from second or subsequent violations is estimated to be not significant.
- The proposed legislation creates Class E and C felonies for certain violations involving a vehicle that strikes or kills an individual pursuant to this section.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/ah